

A circular stamp with the words "U.S. PATENT & TRADEMARK OFFICE" around the perimeter. In the center, it says "O I P E" at the top and "5CAB" at the bottom. The date "JAN 23 2004" is stamped in the middle.

Patent

2859.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Group Art Unit: 2859

Applicants: MURGATROYD et al

Application No.: 09/926,016

Filing Date: August 15, 2001

For: OPTICAL SPECTRUM ANALYZER

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 21, 2004.

Dated: January 21, 2004 By:

Jill Holmes

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing are:

1.  Fee as calculated and transmitted as described below
  2.  Resubmitted Amendment/Response Responsive to Notice of Non-Compliant Amendment.
  3.  Additional Enclosures: Acknowledgement Postcard

### **FEE CALCULATION**

For	Current	Prev. Paid	No. Extra	Rate	Fee
Total Claims	87	- 90	0	\$9.00	\$0.00
Indep. Claims	2	- 2	0	\$43.00	\$0.00
Multiple Dependent Claims (If applicable, please add \$ 290.00)					\$0.00
<b>OTHER FEE</b> (specify purpose):					\$0.00
<b>TOTAL FILING FEE</b>					<b>\$0.00</b>

The Commissioner is hereby authorized to charge and credit Deposit Account No. 50-1852 as described below. A duplicate copy of this sheet is enclosed.

- Credit any overpayment.
- Charge any additional fees required under 37 CFR 1.16 and 1.17.

Respectfully submitted,



January 21, 2004

Date

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Attorney Docket No. I05.001/US

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MURGATROYD et al.

Application Serial No.: 09/926,016

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For: OPTICAL SPECTRUM ANALYSER

Group Art Unit: 2859

- )
- ) Examiner: Amy R. Cohen
- )
- ) **RE-SUBMITTED AMENDMENT AND  
RESPONSE TO NON-FINAL OFFICE  
ACTION (Mailed 6/20/03) Paper No.7**
- )
- ) **(RESPONSIVE TO NOTICE OF NON-  
COMPLIANT AMENDMENT MAILED  
ON 1/16/03)**
- )
- ) Attorney Docket No.: I05.001US
- )
- ) Buckley, Maschoff & Talwalkar LLC
- ) 5 Elm Street
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CERTIFICATE OF MAILING UNDER 37 CFR 1.8

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Dated: 1/21/04 By:

Jill Holme

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the notice of Non-Compliant Amendment mailed January 16, 2004, this is a resubmission of Applicants response to the non-final Office Action mailed June 20, 2003. Applicants respectfully request entry of the following amendments into the above-identified application and consideration of the following remarks.